

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Ryan Laverne Barnhill

Docket No. 7:05-CR-69-1BO

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ryan Laverne Barnhill, who, upon an earlier plea of guilty to 21 U.S.C. § 841(a)(1), Possession with the Intent to Distribute Cocaine Base (Crack), and 18 U.S.C. § 924(c)(1)(A), Possession of a Firearm in Furtherance of a Drug Trafficking Crime, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on March 9, 2006, to the custody of the Bureau of Prisons for a term of 135 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the conditions adopted by the court.

On September 16, 2009, under 18 U.S.C. § 3582(c)(2), the active term of imprisonment was reduced to 125 months. Ryan Laverne Barnhill was released from custody on March 25, 2013, at which time the term of supervised release commenced.

On May 30, 2013, a violation report was submitted to the court reporting that the defendant tested positive for cocaine on May 29, 2013. As a result, the defendant was enrolled in substance abuse counseling and drug testing was increased. The court agreed to continue supervision.

As a result of a positive test for cocaine use on May 8, 2014, the court modified the conditions of supervision on May 9, 2014, to include participation in a cognitive behavioral program.

On June 26, 2015, a violation report was submitted to the court reporting that the defendant tested positive for oxymorphone use May 28, 2015. The defendant reported that he took prescription medication that was not prescribed to him for his back pain. He was instructed not to take any prescription medication without it being prescribed to him. The court agreed to continue supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant has informed the probation officer that he is experiencing anger problems related to post traumatic stress. As a result, he feels that he may benefit from mental health counseling.

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The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall participate in a mental health program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: July 1, 2015

ORDER OF COURT

Considered and ordered this 2 day of July, 2015, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge